



Austin City Council MINUTES

OCTOBER 6, 1994 - 1:00 P.M.

Mayor Todd called to order the meeting of the Council, noting the absence of Councilmember Goodman.

MINUTES APPROVED

1. Approval of Minutes for Regular Meeting of September 29, 1994 and Special Meetings of September 12, 28 and 29, 1994

Approved Regular Meeting of September 29, 1994 and Special Meetings of September 28 and 29, 1994 on Councilmember Garcia's motion, Mayor Pro Tem Nofziger's second, 6-0 vote, Councilmember Goodman absent.

CITIZEN COMMUNICATIONS: GENERAL

2. Ms. Joy R. Hughes, to discuss specifications.
3. Mrs. Charlene Shillman, to discuss support of the Museum of Fine Arts, Austin; attend our 3rd Annual Gala Pryor Plans to be exhibited.
4. Mr. Roger Baker, to discuss matters arising.
5. Mr. Ira Jon Yates, to discuss ways to expedite the approval and construction of limited water service to Southwest A Pressure Zoning in the Bailey Middle School are to enable the transportation system to be completed to help solve existing traffic problems.
6. Mr. Jack Moore, to complain about excessive noise generated by commercial pop music events on Auditorium Shores.
Not present
7. Major David Waite, to request City support to help underwrite the cost of providing "sick bed" service at emergency shelter facility.
8. Mr. Gus Pena, to discuss community issues in East Austin, and crime concerns.
9. Mr. Joe Quintero, to discuss East Austin community issues.
10. Ms. Darlene Rosales, to discuss East Austin community issues and crime.
Not present
11. Mr. David Trevino, to discuss East Austin crime concerns on Cesar Chavez.

ITEMS CONTINUED FROM PREVIOUS MEETINGS

12. Approve the selection of ESPEY, HUSTON & ASSOCIATES, INC., Austin, Texas, for Phase I (preliminary engineering) of a three phase agreement to provide engineering, planning and associated services for the Robert E. Lee Road Relief

Water and Wastewater Utility.) Best qualification statement of eleven (11). 15.5% MBE, 1.5% WBE Subconsultant participation. (Recommended by the Water and Wastewater Commission)

Approved on Councilmember Reynolds' motion, Councilmember Garcia's second, to include Councilmember Shea's staff be informed of progress, 5-0 vote, Councilmember Mitchell out of the room.

13. Approve the award of a demolition contract to EDWARD R. COLEMAN CONSTRUCTION, Austin, Texas, for Demolition Package No. 1A-2 for the New Austin Airport, in the amount of \$40,031. (Funding was included in the 1993-94 Capital Budget for the Aviation Department.) Low responsive bid of eleven (11). DBE Subcontractor participation: 51.44% (51.44% MBE, 0% WBE).
Approved
14. Approve the award of a demolition contract to SOUTHWEST CONSTRUCTORS, INC., Austin, Texas, for the Demolition Package No. 1A-1 for the New Austin Airport, in the amount of \$254,801. (Funding was included in the 1993-94 Capital Budget for the Aviation Department.) Low responsive bid of eleven (11). DBE Subcontractor participation: 50.42% (39.21% MBE, 11.21% WBE).
Approved

ORDINANCES

15. Approve second reading of an ordinance amending Chapter 13-2 of the Austin City Code rezoning property locally known as 7100 West U.S. Hwy. 290, Case No. C14-93-0154, from "RR", Rural Residence to "GR-CO", Community Commercial-Conditional Overlay, ALBERTSON'S, INC. (James Spitzer), by Austin Permit Service (Melissa Whaley). First reading on February 24, 1994; Vote 5-0, Mayor Todd absent. Conditions met as follows: Conditional overlay incorporates conditions imposed by Council.
Approved
16. Authorize acceptance and appropriation of \$10,000 from the Texas Forest Service; amend Ordinance No. 940912-D, the 1994-95 operating budget, for the Parks and Recreation Special Revenue Fund by appropriating \$10,000 in grant funds. (Funding is available from the Texas Forest Service.)
Ordinance No. 941006-A approved
17. Amend Ordinance No. 940912-C to increase service fee charged for STAR Flight helicopter emergency ambulance service, as approved by Travis County Commissioner's Court. (No fiscal impact. All revenue from this fee transfers to Travis County.)
Ordinance No. 941006-B approved

RESOLUTIONS

18. Approve execution of a twelve (12) month supply agreement with P & T PRODUCTS INC., Port Clinton, Ohio, for the purchase of pavement crack sealant compound used by the Street and Bridge Division to seal pavement cracks which eliminates water penetration, in an amount not to exceed \$69,840 with the option to extend for two (2) additional twelve (12) month periods in an amount not to exceed \$69,840 for each option period, for a total amount not to exceed \$209,520. (Funding is available in the 1994-95 operating budget of the Public Works and Transportation Department. Funding for the extension options will be contingent upon available funding in future budgets.) Low bid of four (4). No M/WBE Subcontracting opportunities were identified.
Approved
19. Approve execution of a contract award to NBS CONSTRUCTION, INC., for construction of Deep Eddy Pool improvements to provide structural stability to the existing pool, in the amount of \$159,777. (Funding was included in the 1994-95 Capital budget of the Parks and Recreation Department.) Single bid. No M/WBE Subcontracting opportunities were identified.
Approved
20. Ratify a twelve (12) month contract with the Travis County Human Services Department and approve a three (3) month extension to 12/31/94, in the amount of \$92,934 for Rural Neighborhood Center operations as part of the Community Services Block Grant (CSBG) program. (Funding is available in the Health and Human Services Department Special Revenue Fund for the Community Services Block Grant program.)
Approved
21. Approve execution of a twelve (12) month grant subcontract with Peoples Community Clinic for immunization services under a grant from the Texas Department of Health, in an amount not to exceed \$44,766 with two extension options in an amount not to exceed \$44,766 per extension, for a total amount not to exceed \$134,298. (Funding is available in the Special Revenue Fund for the Health and Human Services Department.)
Approved
22. Approve execution of two (2) twelve (12) month supply agreements with MATRX MEDICAL, INC., Ballentine, South Carolina and SOUTHERN SAFETY SALES, INC., Austin, Texas, for the purchase of medical supplies for the Emergency Medical Services' and Austin Fire Department's rescue vehicles, in an amount not to exceed \$77,874.50 and \$46,689.51 respectively, with the option to extend for two (2) additional twelve (12) month periods in amounts not to exceed \$77,874.50 and \$46,689.51 for each extension option, for total contract amounts not to exceed \$233,623.50 and \$140,068.53. (Funding is available in the 1994-95 operating budget of the Emergency Medical Services Department. Funding for the extension options is contingent upon available funding in future budgets.) Low bid of twenty-one (21). No M/WBE Subcontracting opportunities were identified.
Approved

23. Approve negotiation and execution of a contract with UNITED STATES ESCROW, Downey, California, to provide loan services for approximately 200 loans for Housing and Commercial Development Programs, in an amount not to exceed \$70,000 with two (2) twelve (12) month extension options in an amount not to exceed \$70,000 per extension option, for a total amount not to exceed \$210,000. (Funding in the amount of \$28,000 is available from the Home Investment Partnership Program Fund and \$42,000 is available in the 19th year Community Development Block Grant funds.) Best proposal of three (3). No M/WBE Subcontracting opportunities were identified.

Approved

24. Approve execution of a twelve (12) month supply agreement with DAVIS WATER AND WASTE INDUSTRIES, INC., Sequin, Texas, for the purchase of approximately 114,000 gallons of Bioxide which is used to control sewer odor and corrosion problems in sewer lines, in an amount not to exceed \$199,500 with two (2) twelve (12) month extension options in an amount not to exceed \$199,500 per extension, for a total amount not to exceed \$598,500. (Funding is available in the 1994-95 operating budget for the Water and Wastewater Utility.) Sole Source. No M/WBE Subcontracting opportunities were identified. (Recommended by Water and Wastewater Commission)

Approved

25. Approve a three (3) month renewal of the contract with Austin Community Television, Inc., (ACTV) for the management of the City of Austin's Public Access Program, in the amount of \$161,250 with a nine (9) month extension option in the amount not to exceed \$483,750, for a total amount not to exceed \$645,000. (Funding is included in the Special Revenue Fund, Austin Cable Access) [Recommended by Cable Commission] [Recommended by Telecommunications Committee]

Approved

New Austin Airport (Items 26-27)

26. Approve the filing of eminent domain proceedings to acquire fee simple interest to a parcel of land containing 2.848 acres of land out of The Santiago Del Valle Ten League Grant Survey, Abstract No. 24 in Travis County, Texas, owned by Juan V. Campos and wife, Gloria V. Campos for the Land Acquisition Program, New Austin Airport at Bergstrom Project. (Appraised value is \$43,000.)

Approved

27. Approve the filing of eminent domain proceedings to acquire fee simple interest to a parcel of land containing 135.858 acres of land out of The Santiago Del Valle Ten League Survey, in Travis County, Texas, owned by Hal B. Armstrong, III, for the Land Acquisition Program, New Austin Airport at Bergstrom Project. (Appraised value is \$140,000.)

Approved

Items 13-27 approved on Councilmember Garcia's motion, Councilmember Shea's second, 6-0 vote, Councilmember Goodman absent.

ORDINANCE

28. Approve cancellation of the Regular City Council meeting of October 27, 1994.

Ordinance No. 941006-C approved with accepted Friendly amendment offered by Councilmember Reynolds to include October 13, 1994, on Councilmember Garcia's motion, Councilmember Shea's second, 6-0 vote, Councilmember Goodman absent.

RESOLUTION

29. Set a public hearing on an appeal of Planning Commission approval of a Conditional Use Permit for the North Lamar Self-storage facility (SPC-94-0031A). [Suggested date and time: November 3, 1994 at 4:30 p.m.]

Approved on Councilmember Garcia's motion, Councilmember Shea's second, 6-0 vote, Councilmember Goodman absent.

ITEMS FROM COUNCIL

30. Approve a resolution directing the City Manager to evaluate the Fire Department vehicle replacement schedule and fleet needs, and report to the Council on replacement options. (Councilmembers Brigid Shea and Eric Mitchell)

Approved on Councilmember Shea's motion, Councilmember Garcia's second, with a friendly amendment offered by Mayor Pro Tem Nofziger and accepted to broaden the resolution to include all emergency vehicles, 6-0 vote, Councilmember Goodman absent.

31. Approve the designation of Butler Fields 1 and 2 and Williams Field for Girls Softball League activities only, effective October 10, 1994. (Councilmember Eric Mitchell)

Motion to approve by Councilmember Mitchell and seconded by Councilmember Reynolds.

Substitute motion to refer to PARKS Board and Youth Athletic Council by Mayor Pro Tem Nofziger, Councilmember Garcia's second, 4-2 vote, Councilmembers Mitchell and Reynolds voting No, Councilmember Goodman absent.

32. Approve an Interlocal Agreement between the City of Austin and Mayors United on Safety, Crime and Law Enforcement (MUSCLE) member cities for the formulation and presentation of a legislative package for safety, crime and law enforcement for the 74th Regular Legislative Session. (Mayor Bruce Todd and Councilmember Gus Garcia) [Related to Item 33]

Approved

33. Approve an ordinance to authorize acceptance of \$100,000 from MUSCLE; amend Ordinance No. 940912-D, the 1994-95 Operating Budget Special Revenue Fund for Management Services, by increasing appropriations by \$100,000, and authorize one contract funded full-time equivalent (FTE). (Mayor Bruce Todd and Councilmember Gus Garcia) [Related to Item 32]
Ordinance No. 941006-D approved

Items 32-33 approved on Councilmember Garcia's motion, Councilmember Shea's second, 6-0 vote, Councilmember Goodman absent.

34. Approve an ordinance amending Chapter 10-7 of the Code of the City of Austin, 1992, as amended (Curfew Ordinance) to revise the curfew hours for Curfew Area No. 3 and to add an offense and a defense regarding owners and operators of establishments. (Councilmembers Gus Garcia and Brigid Shea)

Ordinance No. 941006-F approved on Councilmember Garcia's motion, Councilmember Shea's second, 6-0 vote, Councilmember Goodman absent.

35. Direct the City Manager to do the strictest possible enforcement of all laws and ordinances in the San Marcos/Cesar Chavez day labor area and to post all appropriate signs. (Councilmembers Gus Garcia and Brigid Shea)

Approved on Councilmember Garcia's motion, Councilmember Shea's second, 6-0 vote, Councilmember Goodman absent.

36. Direct the City Manager to gather information on San Francisco and the efforts of other communities to promote the multimedia industry, and pursue all available means to encourage the development of the multimedia industry in Austin. (Telecommunications Subcommittee)
Approved

37. Approve the Bergstrom Housing Reuse Task Force's recommendations regarding the Bergstrom Housing Allocation Process. (Councilmembers Jackie Goodman, Brigid Shea and Gus Garcia)
Approved

Items 36-37 approved on Councilmember Garcia's motion, Councilmember Shea's second, 6-0 vote, Councilmember Goodman absent.

38. Approve an ordinance granting a one-time waiver of Capital Recovery Fees in the amount of \$7,848.00 for connection of water service at South Austin Youth Soccer Association Fields located at 5913 WestCreek Drive. (Councilmembers Eric Mitchell, Ronney Reynolds and Jackie Goodman)
Postponed until October 20, 1994

4:00 P.M. - ZONING HEARINGS AND APPROVAL OF ORDINANCES

39. C14-94-0039 - TEXAS INSTRUMENTS (Don Corentio), by Century Austin Partners (Matt Mathias), 12440 to 12499 Research Boulevard. From LI & IP to MF-2-CO & GR. Planning Commission Recommendation: To Grant MF-2-CO, Multifamily Residence (low density)-Conditional Overlay, limited to a maximum of 18 units per acre for Tract 1; and GR-CO Community Commercial-Conditional Overlay, zoning subject to a maximum height of forty feet for Tract 2 and prohibiting the following uses: automotive rentals, automotive repair services, automotive sales exterminating services, hotel-motel, outdoor entertainment (conditional), outdoor sports and recreation, pawn shop services, Restaurant (drive-in, fast food). Further subject to the following conditions: (1) prohibit access to Heinemann Drive; (2) security access gate; (3) development should be limited to uses and intensities assumed in the Transportation Impact Analysis, and fiscal should be posted in accordance with the Transportation Memo dated July 26, 1994.

Public Hearing closed on Councilmember Garcia's motion, Councilmember Reynolds' second, 6-0 vote, Councilmember Goodman absent.

Approved Planning Commission recommendation, 1st reading; and subject to no access into surrounding neighborhood of vehicular, bicycle or pedestrian traffic on Councilmember Reynolds' motion, Mayor Pro Tem Nofziger's Second, 6-0 vote, Councilmember Goodman absent.

40. C14r-85-394, C14r-84-237 - PAUL D. AGARWAL, by Minter, Joseph & Thornhill, 10909 F.M. 2222. Request for restrictive covenant amendment. Planning Commission Recommendation: Approved subject to staff recommendations. 7-1.

Approved on Councilmember Garcia's motion, Mayor Pro Tem Nofziger's second, 5-0 vote, Councilmember Mitchell out of the room, Councilmember Goodman absent.

EXECUTIVE SESSION (No Public Discussion on These Items)

Executive Session held on the morning of this date.

The City Council will announce it will go into Executive Session, if necessary, pursuant to Chapter 551 of the Texas Government code, to receive advice from Legal Counsel to discuss matters of land acquisition, litigation and personnel matters as specifically listed on the meeting agenda. Council would take any subsequent action in the open meeting as listed on the agenda. The City Council may also announce it will go into Executive Session, if necessary, to receive advice from Legal Counsel regarding any other item on this agenda.

Advice from Counsel - Section 551.071

41. Seek legal advice on Austin Black Contractors, Assoc., Inc., v. City of Austin, Cause No. A94CA26955, in United District Court, Western District, Austin Division.

Land Acquisition - Section 551.072

42. Discuss land acquisition for the Balcones Canyonlands Conservation Plan (BCCP).
43. Discuss fee simple acquisition of real property located at 9710 Burleson Road, Del Valle, Texas, for the New Airport Project, and associated relocation costs.

Staff Briefing - Section 551.075

44. Staff briefing on the status of Brackenridge Hospital's future staffing plans. (No City Council deliberation permitted under Section 551.075.)
45. Staff briefing on the status of negotiations of a lease agreement for Brackenridge Hospital with the Austin Hospital Authority. (No City Council deliberation permitted under Section 551.075)

ACTION ON THE FOLLOWING

46. Authorize in accordance with the provisions of the Interagency Agreement, the negotiation and execution of a contract for purchase of a tract of land of approximately 236 acres from Canyon Creek Option, Ltd. for the Balcones Canyonland Conservation Plan ("BCCP").

Approved in an amount not to exceed \$3,000,000.00.

47. Authorize fee simple acquisition of real property located at 9710 Burleson Road, Del Valle, Texas, for the New Airport Project, and associated relocation costs.

Approved total amount of approximately \$317,395.00.

48. APPOINTMENTS

Disparity Study Work Group - Ken Cousins
Downtown Commission - Diane Valera Rep. of OLE' MEXICO
Approved

Items 46-48 approved on Councilmember Garcia's motion, Councilmember Shea's second, 6-0 vote, Councilmember Goodman absent.

ADDENDUM:

ITEMS FROM COUNCIL (continued)

49. Amend Chapter 2-4 of the Austin City Code of 1992 regarding the membership of the Downtown Commission. (Downtown Subcommittee)

Ordinance Number 941006-E naming the one vacant member position as a representative of Ole' Mexico and with accepted Friendly amendment offered by Councilmember Mitchell adding two new member positions which will be representatives of the Hispanic Chamber of Commerce and East 11th and 12th Business Organization on Councilmember Garcia's motion, Councilmember Shea's second, 6-0 vote, Councilmember Goodman absent.

50. Direct the City Manager to work with the Planning Commission to develop an implementation plan for the Central Urban Redevelopment (CURE) Proposal. (Councilmembers Eric Mitchell and Ronney Reynolds)
Postponed until October 20, 1994

ADJOURN at 7:15 p.m. on Councilmember Reynolds' motion, Councilmember Garcia's second, 4-0 vote, Mayor Pro Tem Nofziger and Councilmember Shea out of the room, Councilmember Goodman absent.

Approved this 20th day of October, 1994, on Councilmember Garcia's motion, Councilmember Shea's second, 6-0 vote, Mayor Pro Tem Nofziger absent.

0

1. The first part of the document is a list of names and addresses of the members of the committee.

2. The second part of the document is a list of the names and addresses of the members of the committee.

3. The third part of the document is a list of the names and addresses of the members of the committee.

0

0